

**BOARD OF ZONING APPEALS**  
**CITY OF MILWAUKEE**

**REGULAR MEETING – September 6, 2012**  
**City Hall, Common Council Committee Room 301-B**

***MINUTES***

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**PRESENT:**

**Chairwoman:** Catherine M. Doyle (*voting on items 1 - 67*)

**Members:** Henry P. Szymanski (*voting on items 1 – 35, 37 - 67*)  
Donald Jackson (*voting on items 1 - 67*)  
Martin E. Kohler (*voting on items 1 - 61*)  
Jose L. Dominguez (*voting on items 1 – 35, 37 - 67*)

**Alt. Board Members:** Leni M. Siker (*voting on items 36, 62- 67*)

START TIME: 2:12 p.m.

End Time: 6:55 p.m.

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<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	31804 Special Use	Stanley L Terry Lessee  Request to occupy the premises as a rooming house for 4 occupants.	2428 W. Brown St. 15th Dist.
Action:		Dismissed	
Motion:		Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
Vote:		4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
Conditions of Approval:		--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
2	31627 Special Use	Trees of Righteousness International Ministries James Carter; Lessee  Request to occupy a portion of the premises as a religious assembly hall.	5268 N. 35th St. A/K/A 5266 N. 35th St. 1st Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of staff and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	
3	31035 Special Use	Mohammed Mazharuddin & Diljeet S. Khahra Lessee  Request to continue occupying the premises as a motor vehicle filling station.	3105 N. Holton St. A/K/A 426 E. Burleigh St. 6th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
4	31937 Extension of Time	Miguel A. Negron Iglesia La Comunidad Cristiana Inc.;Other  Request for an extension of time to comply with the conditions of case #31096.	1573 W. Becher St. A/K/A 1575 W. Becher St. 12th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the request. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>EXTENSION OF TIME REQUEST GRANTED FOR ONE YEAR. Must comply with the conditions of case #31096 below:</p> <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the first floor windows along the W. Becher St. &amp; S. 16th St frontages remain as transparent vision glass and are maintained in an attractive manner.</li> <li>6. That the petitioner submits plans prepared by an architect for the conversion of this building to an assembly occupancy, obtains all required permits and obtains a final occupancy certificate by having all required inspections, complies with current State commercial building code for assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>7. That the building is not occupied until all interior and exterior code violations are corrected in DNS order numbers 8550911, 8717011 and 8791131.</li> <li>8. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on June 22, 2014.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	31932 Special Use	Bayan & G LLC Lessee	2420 S. 6th St. 14th Dist.
		Request to continue occupying a portion of the premises as a general retail establishment.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code.</p> <p>5. That the storefront windows are restored to transparent glass in accordance with the glazing standards of s295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</p> <p>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>7. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises.</p> <p>8. That parking is not permitted on the street directly in front of the premises. The applicant must obey all posted parking regulation signs.</p> <p>9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
6	31974 Special Use	Shauna Lenway Lessee  Request to continue occupying the premises as a motor vehicle repair facility.	2631 S. Greeley St. A/K/A 2629 S. Greeley St. 14th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code.</li> <li>5. That all repair work is conducted inside the building.</li> <li>6. That no work or storage of vehicles occurs in the public right-of-way.</li> <li>7. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	31965 Special Use	Wisconsin Community Services Inc. Lessee  Request to continue occupying a portion of the premises as a health clinic.	3734 W. Wisconsin Av. A/K/A 3724 W. Wisconsin Av. 15th Dist.
	Action:	Granted 15 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>5. That this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
8	31976 Special Use	Varinder Singh Lessee  Request to continue occupying the premises as a motor vehicle filling station.	905 W. Center St. A/K/A 901 W. Center St. 15th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>5. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>6. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>7. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises</li> <li>8. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>9. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</li> <li>10. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>12. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on May 1, 2016.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	31982 Special Use	Bennie Galloway Lessee  Request to occupy the premises as a day care center for 15 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m. (this is a new operator).	1801 W. Galena St. A/K/A 1551 A N. 18th St. 15th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman of the District and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	



<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	31995 Special Use/ Dimensional Variance	<p>Progressive Community Health Centers Property Owner</p> <p>Request to raze the existing building and construct a health clinic that exceeds the maximum allowed side street setback (allowed 5 ft. / proposed 66).</p>	<p>3512 W. Lisbon Av. A/K/A 3504 W. Lisbon Av. 15th Dist.</p>
	Action:	Granted 15 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle. Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the premises is developed in accordance with the site, façade and elevation plans that were approved by the Board for BOZA case # 30058, or that any revised site, façade and elevation plans are approved by the Department of City Development Planning Administration section prior to the issuance of any permits.</li> <li>6. That a revised landscaping plan meeting the intent of city code section 295-405 is submitted to the Board of Zoning Appeals within 90 days of Board approval of the special use. This landscape plan must be approved by the Zoning Administration Group prior to the issuance of any permits.</li> <li>7. That landscaping and screening is installed within 120 days of occupancy.</li> <li>8. That driveways be designed and constructed to City of Milwaukee specifications.</li> <li>9. That DPW permits are acquired for any and all work performed in the public right-of-way including, but not limited to, excavation for the building foundation or closing the public sidewalk or portions of the road during construction.</li> <li>10. That the applicant apply for the proposed loading zone shown on West Lisbon Avenue.</li> <li>11. That this Variance is granted to run with the land.</li> <li>12. That this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof.</li> </ol>	

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11	31971 Special Use	Jennifer Fischer Lessee  Request to continue occupying the premises as a day care center for 49 children per shift infant to 5 years of age, operating Monday - Saturday 6:00 a.m. - midnight (this is a new operator).	4145 N. Green Bay Av. A/K/A 4151 N. Green Bay Av. 1st Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license.</li> <li>7. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</li> <li>8. That a loading zone be obtained and maintained on North Green Bay Avenue.</li> <li>9. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>10. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

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12	31953 Special Use	Carl Nembhard Lessee  Request to continue occupying the premises as a motor vehicle repair facility.	6122 N. 76th St. 2nd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code.</li> <li>5. That all repair work is conducted inside the building.</li> <li>6. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris.</li> <li>7. That no work or storage of vehicles occurs in the public right-of-way. On Douglas Avenue, the property line is 11 feet behind the face of curb. That area between the face of curb and the property line is public right-of-way.</li> <li>8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	31927 Special Use	Jacob A Henes Property Owner  Request to continue occupying the premises as a motor vehicle repair facility.	801 E. Keefe Av. A/K/A 803 E. Keefe Av. 3rd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all repair work is conducted inside the building.</li> <li>5. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>7. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>8. That no work or storage of vehicles occurs in the public right-of-way.</li> <li>9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
14	31961 Use Variance	Zeta Zeta Chapter of Tau Kappa Epsilon Fraternity Property Owner	3321 N. Oakland Av. 3rd Dist.
		Request to continue occupying the premises as a fraternity.	
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	31963 Special Use	David Manyo Lessee  Request to continue occupying the premises as a motor vehicle repair facility (this is a new operator).	909 E. Locust St. A/K/A 2874 N. Bremen St. 3rd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That screening is maintained in a manner that meets the intent of city code.</li> <li>6. That no work or storage of vehicles occurs in the public right-of-way.</li> <li>7. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>9. That all repair work is conducted inside the building.</li> <li>10. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
16	31973 Special Use	Thanks A-Lot LLC Bonnie Bockl Joseph;Property Owner  Request to continue occupying the premises as a parking lot.	843 N. Plankinton Av. A/K/A 857 N. Plankinton Av. 4th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening is maintained in a manner that meets the intent of city code.</p> <p>5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	31949 Special Use	Ruby Isle Inc. John Kalupa;Lessee  Request to continue occupying the premises as a motor vehicle repair and sales facility.	11137 W. Silver Spring Dr. A/K/A 11133 W. Silver Spring Dr. 5th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all repair work is conducted inside of the building.</li> <li>5. That landscaping and screening is implemented and maintained in accordance with the landscape plan approved by the Department of City Development on January 13, 2009.</li> <li>6. That no work or storage of vehicles occurs in the public right-of-way.</li> <li>7. That no sales vehicles are displayed in the public right-of-way.</li> <li>8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>10. That these Special Uses are granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	



<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	31957 Special Use	Kingdom of Heaven Christian Ministries, Inc. Lessee  Request to continue occupying a portion of the lower level as a religious assembly hall.  Action: Granted 10 yrs.  Motion: Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.  Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.  Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.  5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	9235 W. Capitol Dr. A/K/A 9235 W. Capitol Dr. 301 5th Dist.
19	31964 Special Use	Kabir Hussain Aiman Food Inc.;Property Owner  Request to continue occupying the premises as a motor vehicle filling station.  Action: Adjourned  Motion: This matter has been adjourned at the request of an interested party and will be rescheduled for the next available public hearing.  Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.  Conditions of Approval: --	9109 W. Burleigh St. A/K/A 9101 W. Burleigh St. 5th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	31972 Special Use	<p>Pristine Child Care LLC Property Owner</p> <p>Request to continue occupying the premises as a day care center for 80 children infant to 13 years of age, operating Monday - Friday 6:30 a.m. - 12:30 a.m.</p>	1850 N. Martin L King Jr Dr. A/K/A 235 W. Reservoir Av. 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</p> <p>6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use</p> <p>7. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.</p> <p>8. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</p> <p>9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	31977 Special Use	<p>Paula Lampley Property Owner</p> <p>Request to occupy the premises as a day care center for 47 children per shift infant to 12 years of age, operating Monday - Friday 5:00 a.m. - 12:30 a.m. and Saturday 5:30 a.m. - 12:30 a.m.</p> <p>Action: Granted 5 yrs.</p> <p>Motion: Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use.</li> <li>7. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.</li> <li>8. That a loading zone be obtained and maintained on West Hadley Street along the entire length of the property between North Martin L King Jr Drive and the north-south alley.</li> <li>9. That loading and unloading of children must occur on the north side of West Hadley Street, including loading and unloading from parents' vehicles, Day Care Service Van, school bus, or any other type of transportation.</li> <li>10. That the unused driveway on West Hadley Street be removed and restored to City of Milwaukee specifications.</li> <li>11. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for educational and institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>12. That the petitioner provides the Department of Neighborhood Services a scaled and dimensioned floor plan of the school that identifies the intended use and capacity of each room.</li> <li>13. That the facility does not exceed the capacity established by the State Department of Children and Families.</li> <li>14. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	<p>2801 N. Martin L King Jr Dr. A/K/A 312 W. Hadley St. 6th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	31936 Special Use	Younas Mohammad Property Owner	2707 W. Burleigh St. 7th Dist.
		Request to continue occupying the premises as a motor vehicle filling station.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>5. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises.</p> <p>6. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</p> <p>7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>8. That the applicant does not have outdoor storage or display of products or merchandise.</p> <p>9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	31939 Special Use	<p>Warming Hearts Inc. Lessee</p> <p>Request to occupy a portion of the premises as a second-hand sales facility.</p> <p>Action: Adjourned</p> <p>Motion: This matter has been adjourned at the request of the Alderman of the District and will be rescheduled for the next available public hearing.</p> <p>Vote: --</p> <p>Conditions of Approval: --</p>	<p>3229 W. Lincoln Av. A/K/A 3221 W. Lincoln Av. 8th Dist.</p>
24	31941 Special Use	<p>Samuel Perez Lessee</p> <p>Request to continue occupying the premises as a general retail establishment.</p> <p>Action: Granted 10 yrs.</p> <p>Motion: Donald Jackson moved to grant the appeal. Seconded by Henry Szymanki.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:           <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code.</li> <li>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>7. That the applicant complies with DNS orders #9325533 and #9325532 within 30 days of the decision by the Board.</li> <li>8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol> </p>	<p>3100 W. Mitchell St. A/K/A 1665 S. 31st St. 8th Dist.</p>

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
25	32002 Dimensional Variance	Stanislaw M Mikulski Property Owner  Request to construct an addition to the existing garage that does not meet the minimum required rear setback (required 15 ft. / proposed 2 in.), the minimum required side setback (required 4 ft. 5 in. / proposed 1 ft. 9 in.) and exceeds the maximum allowed roof eaves (allowed 24 in. / proposed 32 in.).	2146 S. Layton Bl. A/K/A 2148 S. Layton Bl. 8th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That these Variances are granted to run with the land.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	31967 Special Use	Russ Darrow Colonial, Inc. Property Owner  Request to continue occupying the premises as a motor vehicle sales facility.	9201 W. Brown Deer Rd. A/K/A 8741 N. 91st St. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That no sales vehicles are displayed in the public right-of-way.</li> <li>5. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	31968 Special Use	Russ Darrow Colonial, Inc. Property Owner	9301 W. Brown Deer Rd. 9th Dist.
		Request to continue occupying the premises as a motor vehicle sales facility.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That no sales vehicles are displayed in the public right-of-way.</li> <li>5. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	



<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	31969 Special Use	Russ Darrow Colonial, Inc. Property Owner	9101 W. Brown Deer Rd. 9th Dist.
		Request to continue occupying the premises as a motor vehicle sales facility.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That within 90 days of Board approval of the special use the petitioner must meet with the Zoning Administration Group to create a landscape plan for the W. Brown Deer Rd and N 91st St. Frontage. The petitioner must submit a landscape and screening plan to the Board of Zoning Appeals for Zoning Administration Group review and approval.</p> <p>5. That no sales vehicles are displayed in the public right-of-way.</p> <p>6. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</p> <p>7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	31948 Special Use	<p>Carmel Scaife Lessee</p> <p>Request to continue occupying the premises as a day care center for 55 children per shift infant to 12 years of age, operating Monday - Saturday 5:30 a.m. - midnight (this is a new operator).</p> <p>Action:                   Granted 3 yrs.</p> <p>Motion:                 Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.</p> <p>Vote:                    4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> <li>1.           That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2.           That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3.           That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4.           That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5.           That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>6.           That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use.</li> <li>7.           That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.</li> <li>8.           That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</li> <li>9.           That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>10.          That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	<p>5934 W. Appleton Av. A/K/A 5932 W. Appleton Av. 10th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	31985 Special Use	<p>Janice Schmitt Property Owner</p> <p>Request to increase the hours of operation from Monday - Friday 6:30 a.m. - 11:30 p.m. to Monday - Saturday 6:00 a.m. - 11:30 p.m. and continue occupying the premises as a day care center for 91 children per shift infant to 13 years of age.</p> <p>Action:                   Granted</p> <p>Motion:                 Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.</p> <p>Vote:                    4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> <li>1.           That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2.           That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3.           That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4.           That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5.           That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>6.           That this Special Use is granted for a period of time commencing with the date hereof, and expiring on August 2, 2016.</li> </ol>	<p>5920 W. Center St. A/K/A 2718 N. 60th St. 10th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	31938 Special Use	Miguel & Norma Herrera	1214 S. 6th St. 12th Dist.
		Request to continue occupying the premises as a motor vehicle sales and repair facility.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-805 of the Milwaukee Zoning Code.</li> <li>5. That the petitioner shall maintain landscaping and screening in accordance with the landscape plan approved by the Department of City Development on June 4, 2002</li> <li>6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>7. That no sales vehicles are displayed in the public right-of-way.</li> <li>8. That no work or storage of vehicles occurs in the public right-of-way.</li> <li>9. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>11. That all repair work is conducted inside the building.</li> <li>12. That these Special Uses are granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
32	31942 Special Use	Guillermo Guerrero Lessee  Request to occupy a portion of the premises as a second-hand sales facility.	1401 S. 7th St. A/K/A 1405 S. 7th St. 12th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as transparent glass per s295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</li> <li>6. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	31945 Special Use	Juan Ruiz United Community Center;Property Owner  Request to continue occupying the premises as a community living arrangement and community center.	1028 S. 9th St. A/K/A 808 W. Washington St. 12th Dist.
	Action:	Granted 15 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That these Special Uses are granted for a period of fifteen (15) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	31958 Special Use/ Dimensional Variance	<p>Miguel A Garza Property Owner</p> <p>Request to reconstruct a parking lot that is located between the street facade of the building and the street lot line that does not meet the minimum required landscaping.</p>	<p>925 S. Cesar E Chavez Dr. A/K/A 931 S. Cesar E Chavez Dr. 12th Dist.</p>
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening is implemented and maintained according to the landscape plan submitted to the Board of Zoning Appeals on July 11, 2012.</p> <p>5. That Department of Public Works (DPW) permits are obtained for any work in the public right-of-way, including, but not limited to, removal of the two existing driveway approaches, construction of a new driveway approach, and any excavation for the landscape area or parking lot outside of the property line.</p> <p>6. That this Special Use and this Variance are granted to run with the land.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	31921 Special Use	Community Financial Service Center Lessee  Request to continue occupying the premises as a currency exchange facility.	3272 S. 27th St. A/K/A 3260 S. 27th St. 13th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.  5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.  6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	
36	31372 Special Use	C & D Recycling of Wisconsin, LLC Jason Honick; Lessee  Request to occupy a portion of the premises as a material reclamation facility with outdoor storage.	3282 N. 35th St. 7th Dist.
	Action:	Denied	
	Motion:	Martin Kohler moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	--	



<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	31992 Special Use	Gilberto Fuentes Lessee  Request to occupy the premises as a religious assembly hall.	3142 S. 13th St. A/K/A 3144 S. 13th St. 14th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</p> <p>6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>7. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	
38	31766 Special Use	LaQuisha Hanna Lessee  Request to occupy the premises as a day care center for 45 children per shift infant to 12 years of age, operating 7:00 a.m. - 11:00 p.m. Monday - Sunday.	2806 W. Lisbon Av. A/K/A 2806 A W. Lisbon Av. 15th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	31955 Special Use	Rodney Cunningham Property Owner	7245 N. Teutonia Av. 1st Dist.
		Request to occupy the premises as a day care center 100 children per shift infant to 12 years of age, operating Monday - Friday 7:00 a.m. - 10:00 p.m.	
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</p> <p>6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license.</p> <p>7. That the landscaping along the N. Teutonia Ave frontage is maintained in accordance with the landscape plan approved by the Department of City Development on March 12, 2003.</p> <p>8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>9. That the facility does not exceed a capacity of 82 children, or does not exceed the capacity established by the State Department of Children and Families if required to be less than 82 children.</p> <p>10. That the petitioner submit a revised plan of operation that includes a detailed schedule of daily activities.</p> <p>11. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on August 3, 2014.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	32000 Special Use	<p>Learning Through Technology Childcare Academy, LLC Omar Jackson; Lessee</p> <p>Request to increase the number of children from 102 to 200 per shift and occupy the premises as a day care center for children infant to 12 years of age, operating Monday - Friday 5:00 a.m. - midnight (will be operating in conjunction with adjacent Board approved facility at 7633 W. Fond du Lac Av.).</p>	7625 W. Fond Du Lac Av. A/K/A 7633 W. Fond Du Lac Av. 2nd Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use.</li> <li>7. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>8. That the petitioner obtains a new occupancy certificate to account for the increased number of children by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>9. That the facility does not exceed a capacity of 200 children, or does not exceed the capacity established by the State Department of Children and Families if required to be less than 200 children.</li> <li>10. That the petitioner provides the Department of Neighborhood Services a scaled and dimensioned floor plan of the school that identifies the intended use and capacity of each room.</li> <li>11. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on March 2, 2014.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	32015 Dimensional Variance	Randolph & Latoya Sims Property Owner  Request to allow a fence that exceeds the maximum allowed height (allowed 4 ft. / proposed 6 ft.). (This is a rehearing of case #31311).	4251 N. 72nd St. 2nd Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 1 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
42	32011 Dimensional Variance	Bradley Center Sports & Entertainment Corp. Steve Costello;Property Owner  Request to enlarge the existing freestanding automatic changeable message sign that exceeds the maximum allowed sign area (allowed 50 sq.ft. / proposed 325 sq.ft.).	1001 N. 4th St. 1 A/K/A 1051 N. 4th St. 4th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That this Variance is granted for a period of time commencing with the date hereof, and expiring on September 8, 2020.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	31633 Special Use	Kimberly Spencer Lessee  Request to occupy the premises as a religious assembly hall and a social service facility.	507 W. North Av. A/K/A 507 A W. North Av. 6th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
44	31774 Special Use	James Hopson Lessee  Request to increase the hours of operation from 6:00 a.m. - 11:00 p.m. to 24 hours for the Board approved day care center for 21 children per shift 3 to 12 years of age, operating Monday - Friday.	323 E. Garfield Av. A/K/A 325 E. Garfield Av. 1 6th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	31911 Special Use	<p>Andrew Neuman EEI Real Estate Holdings, LLC;Property Owner</p> <p>Request to continue occupying the premises as a school for 350 children K4 - 8th grade, operating Monday - Friday 7:00 a.m. - 7:00 p.m.</p>	<p>3601 N. Port Washington Av. A/K/A 3609 N. Port Washington Av. 6th Dist.</p>
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	
46	31960 Use Variance	<p>Sunshine Johnson Lessee</p> <p>Request to occupy the premises as a 24 hour day care center for 51 children per shift infant to 12 years of age, operating Monday - Sunday.</p>	<p>2800 N. 4th St. A/K/A 2808 N. 4th St. 6th Dist.</p>
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of staff and will be rescheduled at the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
47	31989 Special Use	Danielle Jones Lessee  Request to increase the number of children from 45 to 60 per shift and to increase the hours of operation from Monday - Friday 6:00 a.m. - midnight to Monday - Sunday 6:00 a.m. - midnight, and continue occupying the premises as a day care center for children infant to 12 years of age.	3414 N. Port Washington Av. A/K/A 3420 N. Port Washington Av. 6th Dist.
	Action:	Adjourned	
	Motion:	Martin Kohler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	32016 Special Use	<p>Kulwant Dhillon Kool Petroleums Inc.;Property Owner</p> <p>Request to raze the existing structure and construct a motor vehicle filling station (applicant will be combining two adjacent lots, 519 E. Keefe &amp; a portion of 531 E. Keefe).</p>	<p>3474 N. Holton St. A/K/A 519 E. Keefe Av. 6th Dist.</p>
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner agrees to work with the Department of City Development Planning Administration staff on final resolution of design issues including, but not limited to site plans, facade &amp; elevation plans, and glazing plans. The petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits.</p> <p>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</p> <p>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>7. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises.</p> <p>8. That landscaping and screening is maintained in a manner that meets the intent of city code.</p> <p>9. That employee parking is provided either immediately adjacent to the property or on the property.</p> <p>10. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, the planting of trees, shrubs and other plant materials and the construction of driveway approaches.</p> <p>11. That the curbs shown projecting into E Keefe Ave stop at the property line.</p> <p>12. That the planting bed on N Holton St must not project beyond the property line.</p> <p>13. That the applicant does not have outdoor storage or display of products or merchandise.</p> <p>14. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>15. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	



<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	31727 Special Use	<p>Inspired Word Ministries Inc. Property Owner</p> <p>Request to continue occupying the premises as a religious assembly hall and a day care center for 40 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 10:00 p.m. and Saturday 7:00 a.m. - 3:00 p.m.</p> <p>Action: Granted 3 yrs.</p> <p>Motion: Henry Szymanski moved to grant the request for the religious assembly hall. Seconded by Donald Jackson. Henry Szymanski moved to dismiss the request for the day care center. Seconded by Donald Jackson.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</li> <li>6. That the petitioner must meet with the Zoning Administration Group to review landscaping issues within 60 days of Board approval of the Special Use. If the Zoning Administration Group determines that landscaping is feasible then the petitioner must submit a landscape and screening plan to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits.</li> <li>7. That the petitioner submit a revised plan of operation for the religious assembly hall, omitting the request for the day care center.</li> <li>8. That the Special Use for the day care center is dismissed without prejudice.</li> <li>9. That this Special Use for the religious assembly hall is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	<p>3410 W. Burleigh St. A/K/A 3404 W. Burleigh St. 7th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	31880 Special Use	Wesley Bryant Lessee	4344 W. Capitol Dr. 7th Dist.
		Request to occupy the premises as a motor vehicle repair facility.	
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the Alderman of the district and will be rescheduled at the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	31863 Dimensional Variance	Ernesto Villarreal Property Owner  Request to allow an interior parking lot that does not meet the minimum required landscaping, and allow window signs that obscure more than 50% of the glazing area .	3524 W. Burnham St. A/K/A 3526 W. Burnham St. 8th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the height of the window graphics proposed for the S. 35th St façade is reduced so that the transom-level windows are retained as clear transparent glass per s295-605-2-i-c of the Milwaukee Zoning Code.</li> <li>5. That the petitioner shall implement and maintain landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on August 28, 2012.</li> <li>6. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, the removal of the driveway on West Burnham Street and the planting of trees, shrubs and other plant materials.</li> <li>7. That unused driveways be removed and restored to City of Milwaukee specifications.</li> <li>8. That the concrete curbs around the planting areas on South 35th Street and West Burnham Street terminate at the property line. Concrete curbs may not project into the public right-of-way.</li> <li>9. That a physical barrier be constructed between the parking lot and the paved public sidewalk on the South 35th Street, West Burnham Street, and South 36th Street sides of the property.</li> <li>10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>11. That these Variances are granted to run with the land.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	31950 Use Variance	Jose Luis Sanchez Karla Quintanilla; Lessee  Request to occupy the premises as a currency exchange facility.	2539 W. Greenfield Av. A/K/A 1404 S. 26th St. 8th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>6. That this Variance is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	31954 Special Use	Rosa Figueroa Property Owner  Request to occupy the premises as a general retail establishment.	2339 W. Pierce St. A/K/A 706 S. 24th St. 1 8th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code.</p> <p>5. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</p> <p>6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>7. That the applicant complies with all existing DNS orders within 30 days of approval by the Board.</p> <p>8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	
54	31743 Special Use	Brian Bohmann Property Owner  Request to occupy the premises as a contractor's yard without the minimum required landscaping.	2932 W. Forest Home Av. A/K/A 2934 W. Forest Home Av. 8th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	31920 Special Use	Mike Satanovsky Property Owner	4811 W. Woolworth Av. 9th Dist.
		Request to occupy the premises as a motor vehicle sales facility, repair facility, and auto body shop.	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB2 zoning districts.</li> <li>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>6. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>7. That all repair work is conducted inside of the building.</li> <li>8. That landscaping and screening in accordance to the plan submitted to the Board on July 9, 2012 is installed within 120 days of occupancy and is maintained in a manner that meets the intent of city code.</li> <li>9. That no work or storage of vehicles occurs in the public right-of-way.</li> <li>10. That no sales vehicles are displayed in the public right-of-way.</li> <li>11. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, the planting of trees, shrubs and other plant materials. The property line is located 11 feet behind the face of curb.</li> <li>12. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>13. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>14. That all motor vehicle body work is performed inside the building with the doors closed. All vehicle painting must comply with requirements chapter 236 of the Milwaukee Code of Ordinances and no painting may be performed until a spray booth is installed under permit, inspected and approved.</li> <li>15. That these Special Uses are granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
56	31959 Special Use	Olayinka A Edu Lessee  Request to occupy a portion of the premises as a motor vehicle sales facility.	9402 N. 107th St. A/K/A 9402 N. 107th St. 4 9th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Syzmanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB1 zoning districts.</li> <li>5. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>7. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	31990 Special Use	Alice Trunnell Sabrina Dotson;Lessee  Request to occupy a portion of the premises as a community living arrangement for 15 occupants.	8225 N. 107th St. 2 A/K/A 8225 N. 107th St. 1 9th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	



<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
58	31993 Special Use	Plankview Green Development, LLC Van Horn Auto. Group; Chuck Van Horn;Property Owner	7500 N. 76th St. A/K/A 7512 N. 76th St. 9th Dist.
		Request to occupy the premises as a motor vehicle sales facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening in accordance to the plan submitted to the Board on June 24, 2012 or in accordance with any other landscape plan that has been approved by the Zoning Administrative group is installed within 90 days of occupancy and is maintained in a manner that meets the intent of city code.</li> <li>5. That all repair work is conducted inside the building.</li> <li>6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>7. That no sales vehicles are displayed in the public right-of-way.</li> <li>8. That no work on or storage of vehicles occurs in the public right-of-way.</li> <li>9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	31817 Special Use	Mr. Teddy J Kniprath Sr. Property Owner	5130 W. Forest Home Av. 11th Dist.
		Request to continue occupying the premises as a motor vehicle repair and sales facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>6. That all repair work is conducted inside the building.</li> <li>7. That the applicant cannot block driveways. Please note that blocked driveways are unused driveways.</li> <li>8. That any unused driveways be removed and restored to City of Milwaukee specifications.</li> <li>9. That no work or storage of vehicles occurs in the public right-of-way.</li> <li>10. That no sales vehicles are displayed in the public right-of-way.</li> <li>11. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>12. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>13. That these Special Uses are granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
60	31929 Special Use	Javier R Colon Lessee  Request to occupy a portion of the premises as a religious assembly hall.	1800 W. Mitchell St. A/K/A 1804 W. Mitchell St. 12th Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
61	31966 Special Use	Firdous Chandani Lessee  Request to add a pawn shop to the Board approved second-hand sales facility.	1306 W. Forest Home Av. A/K/A 1307 W. Mitchell St. 12th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as transparent glass in accordance with the glazing standards of s295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</li> <li>6. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>8. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on January 25, 2015.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
62	31984 Special Use	James Brown Lessee  Request to occupy a portion of the premises as an indoor recreation facility.	1236 W. Pierce St. A/K/A 627 S. 12th St. 12th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code.</li> <li>5. That a Department of Public Works (DPW) permit be acquired for any work in the public right-of-way, including a barrier free access ramp, if one is required.</li> <li>6. That a special privilege be obtained if a barrier free access ramp will be projecting into the public right-of-way.</li> <li>7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Assembly Group A-3 occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>9. That the petitioner submit a revised plan of operation showing the change in hours of operation to Thursday - Sunday 4:00 p.m. - 10:00 p.m.</li> <li>10. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
63	31986 Dimensional Variance	Javier Rodriguez Property Owner  Request to allow a detached garage that exceeds the maximum allowed sidewall height (allowed 10 ft. / proposed 12 ft.).	1227 S. 14th St. 12th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
64	31720 Special Use	Priya Corporation Property Owner  Request to continue occupying the premises as a motor vehicle filling station.	1235 W. Layton Av. A/K/A 1233 W. Layton Av. 13th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>7. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises</li> <li>8. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>9. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</li> <li>10. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>12. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
65	31997 Dimensional Variance	E & A Ventures, LLC c/o Eric Schlueter;Property Owner  Request to erect a freestanding on- premise sign that exceeds the maximum height (allowed 15 ft./proposed 44 ft.) and the maximum display area (allowed 40 sq.ft. / 672 sq.ft. proposed).	4400 S. 13th St. A/K/A 4400 S. 13th St. G 13th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
66	31745 Dimensional Variance/ Special Use	Zee Reality Group, LLC Luis Garcia;Lessee  Request to occupy the premises as a fast-food / carry-out restaurant with a drive-through facility.	4950 S. 27th St. 13th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That there be no increase in the height of the existing freestanding sign, and all other signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>6. That within 90 days of occupancy the existing landscaping is upgraded with additional trees and shrubs to meet the intent of city code section 295-405.</li> <li>7. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>8. That a revised plan be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to occupancy. The revised plan must include opaque fencing and plant materials that meet the intent of city code section 295-405 for Type 'H'(residential buffer) landscaping.</li> <li>9. That directional signs and pavement marking be installed and maintained to indicate the one-way traffic pattern.</li> <li>10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>11. That the applicant submit a contact name and number that can be directly reached 24 hours a day and 7 days a week to all interested parties, including but not limited to, the Alderman of the District, the Board of Zoning Appeals, and the Department of Neighborhood Services.</li> <li>12. That this Variance is granted to run with the land.</li> <li>13. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	



<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
67	31555 Special Use	AJA Enterprise, LLC Bevelyn Johnson;Property Owner  Request to continue occupying the premises as a group home for 8 occupants.	6401 N. 42nd St. A/K/A 6403 N. 42nd St. 1st Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

**Other Business:**

Board member Donald Jackson moved to approve the minutes of the July 26, 2012 meeting. Seconded by Board member Jose Dominguez. Unanimously approved.

The Board set the next meeting for October 11, 2012.

Board member Donald Jackson moved to adjourn the meeting at 6:55 p.m. Seconded by Board member Martin Kohler. Unanimously approved.

**BOARD OF ZONING APPEALS**

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Secretary of the Board

<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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